

Message Text

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FOR MEISSNER USDEL TDB

FOLLOWING REPEAT USUN 03333 ACTION SECSTATE DATED AUG 28:

QTE: UNCLAS USUN NEW YORK 03333

FROM LOSDEL

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: AMBASSADOR RICHARDSON'S STATEMENT ON SEABED
MINING LEGISLATION

FOLLOWING IS THE STATEMENT MADE BY AMBASSADOR RICHARDSON
AT THE GENERAL COMMITTEE ON AUGUST 28, IN RESPONSE TO THE
G-77 STATEMENT (SENT SEPTTEL).
MR. PRESIDENT:

I HAVE LISTENED WITH RESPECT TO THE VIEWS EXPRESSED BY THE
DISTINGUISHED REPRESENTATIVE OF FIJI ON BEHALF OF THE
GROUP OF 77, AND I DO NOT WISH TO PRECIPITATE A LENGTHY
DEBATE ON THE SUBJECT OF THE DEEP SEABED MINING LEGISLATION.
HOWEVER, IN MY VIEW AND IN THE VIEW OF THE OTHER COUNTRIES
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WHOSE ENTERPRISES ARE NOW IN THE PROCESS OF DEVELOPING THE
MEANS OF RECOVERING HARD MINERALS FROM THE DEEP SEABED, THE
CONCEPT OF THE COMMON HERITAGE OF MANKIND, WHICH WE
SUPPORTED IN 1970 AND TO WHICH WE STILL SUBSCRIBE, HAS NEVER
MEANT THAT THESE RESOURCES MUST REMAIN UNEXPLOITED IN THE
ABSENCE OF AN INTERNATIONALLY AGREED SEABEDS REGIMES. I
WOULD HAVE THOUGHT THIS POINT WOULD HAVE BEEN MADE CLEAR

BY OUR CONCURRENT OPPOSITION TO THE MORATORIUM RESOLUTION,
WHICH WAS NOT ADOPTED BY CONSENSUS.

IN OUR VIEW, STATES AND THEIR NATIONALS HAVE THE LEGAL
RIGHT TO USE THE MINERAL RESOURCES OF THE DEEP SEABED BEYOND
NATIONAL JURISDICTION. THIS IS A FREEDOM OF THE HIGH SEAS
WHICH HAS NOT BEEN ABRIDGED EITHER BY ANY TREATY OR BY
CUSTOMARY INTERNATIONAL LAW. ALTHOUGH WE ARE ALL ENGAGED
IN THE PROCESS OF DEVELOPING A TREATY, THIS PROCESS HAS
PROVED LONG AND DIFFICULT, AND ITS SUCCESSFUL CONCLUSION
IS NOT YET AT HAND.

I UNDERSTAND WHY THE GROUP OF 77 WOULD PREFER THAT WE AGREE
TO DEFER ANY MINING UNTIL AN AGREED TREATY CAN BE CONCLUDED,
BUT I TRUST THE GROUP WILL ALSO UNDERSTAND WHY WE CANNOT
RESPONSIBLY DO THAT IN FACE OF THE WORLD'S LONG-RANGE NEED
FOR THE MINERALS AND THE MORE IMMEDIATE NEED TO PROCEED WITH
THE RESEARCH AND DEVELOPMENT THAT WILL IN TURN LEAD TO THE
BEGINNING OF COMMERCIAL MINING. FAR FROM JEOPARDIZING
THE CONFERENCE, SEABED MINING LEGISLATION SHOULD FACILITATE
THE EARLY CONCLUSION OF A GENERALLY ACCEPTABLE LAW OF THE
SEA TREATY BY DISPELLING ANY IMPRESSION THAT THE GOVERN-
MENTS OF THE COUNTRIES PREPARING TO ENGAGE IN SUCH MINING
CAN BE INDUCED TO ACQUIESCE IN AN OTHERWISE UNACCEPTABLE
TREATY BECAUSE THAT IS THE ONLY WAY TO OBTAIN THE
MINERALS.

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MR. PRESIDENT, SO FAR AS THE US IS CONCERNED, THE GOAL OF
MY GOVERNMENT REMAINS THE EARLIEST POSSIBLE CONCLUSION OF
A GENERALLY ACCEPTABLE LAW OF THE SEA TREATY, AND I BELIEVE
THE LEGISLATION NOW BEFORE THE CONGRESS TO BE ENTIRELY
COMPATIBLE WITH THE PRINCIPLES ON WHICH THE EVENTUAL TREATY
WILL BE FOUNDED:

--IT RECOGNIZES THAT THE RESOURCES OF THE SEABED ARE THE
COMMON HERITAGE OF MANKIND.

-- IT REQUIRES THAT REVENUES BE SET ASIDE FOR DEVELOPING
COUNTRIES.

-- IT REQUIRES STRINGENT STANDARDS FOR THE PROTECTION OF
THE MARINE ENVIRONMENT.

-- IT DOES NOT ASSERT ANY RIGHT OF SOVEREIGNTY OR
SOVEREIGN RIGHTS OVER SEABED MINE-SITES.

-- IT WILL BE SUPERSEDED WHENEVER A LAW OF THE SEA TREATY
TAKES EFFECT WITH REGARD TO THE UNITED STATES.

-- IT DOES NOT DECLARE OR IMPLY ANY INTENTION THAT
AMERICAN SEABED MINING COMPANIES SHOULD REMAIN OUTSIDE THE
JURISDICTION OF AN INTERNATIONAL SEABED AUTHORITY UNDER
SUCH A TREATY.

FINALLY, MR. PRESIDENT, UNDER THE LEGISLATION THAT HAS
JUST EMERGED FROM THE SENATE COMMITTEE ON FOREIGN RELATIONS,
NO PERMITS FOR COMMERCIAL RECOVERY OF HARD MINERAL
RESOURCES COULD IN ANY CASE BE ISSUED FOR SEVERAL YEARS.
THIS WILL ALLOW AMPLE TIME FOR OUR NEGOTIATIONS TO CONCLUDE,
THUS ASSURING THAT SEABED RESOURCES WILL BE DEVELOPED ONLY
UNDER THE INTERNATIONAL REGIME WE ARE STRIVING TO
ACHIEVE.

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THANK YOU, MR. PRESIDENT.

LEONARD UNQTE CHRISTOPHER

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